

REMARKS

Claims 1-4 and 18-33 are in the application. Claims 1, 6, 8, 9, 12, 14, 18-24, and 28-29 are amended.

Applicants note that this application is similar to 09/577,959, filed on the same date, naming Jay Fraser, Norman Kaish, David Durst, Michael Hoffberg and Brian Rodricks as inventors. Note that a statutory Double Patenting Rejection was asserted in that application; however, it is believed that the present claims are now sufficiently different to distinguish the claims of that application. The outstanding Office Action in that application cites the following references:

US 6,043,940 (Kamiyama)

US 5,549,953 (Li)

US 5,572,589 (Waters)

US 5,398,226 (Edwards)

DRAWINGS

Applicants provide herewith formal drawings.

SPECIFICATION

The Examiner has objected to the attempted incorporation into the specification of foreign patents and/or publications. It is respectfully submitted that these attempted incorporations are not essential to the subject matter, and therefore have been cancelled. Now new matter is entered thereby.

CLAIM OBJECTIONS

Claim 8 is objected to. The particular rejection is moot in view of the various amendments to claim 8.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112

Claim 6 is rejected for its use of the term "sparse". This term has been removed from the claim.

Claim 21 is rejected for its use of the term “essentially”. This term has been removed from the claim.

DOUBLE PATENTING, 35 U.S.C. § 101

The double patenting rejection is believed overcome by the present amendments, as compared to the respective pending claims in copending 09/577,959.

CLAIM REJECTIONS, 35 U.S.C. § 102

Claims 1-3, 6, 8, and 9 are rejected as being anticipated by WO 99/21035 (Karassev et al.).

Karassev et al. is not believed to teach or suggest that the material is transferred from a recording medium in a form having the potential dichroic property.

Claims 1-30 are rejected as being anticipated under 35 U.S.C. § 102(e) by US 5,974,150 (Kaish et al.). Kaish et al. names an identical inventive entity as the present application, and was issued less than one year prior to the effective filing date of the present application. It is therefore respectfully submitted that this rejection is improper, since the named inventors necessarily possessed the invention set forth in that patent before its publication on October 26, 1999. The rejection is therefore believed overcome. It is noted that WO 99/17486 is a related application to Kaish et al., and was published on April 8, 1999, making it a reference under 35 U.S.C. § 102(b). It is nevertheless believed that the present claims are distinct from that reference, in that Kaish does not teach or suggest a selective transfer of material nor sealing tape in accordance with the present claims.

CLAIM REJECTIONS, 35 U.S.C. § 103

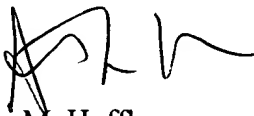
Claims 4, 5, 10 and 11 are rejected as being obvious over Karassev et al. in view of Kaish et al. Each of these is distinguished or overcome above.

Claim 7 is rejected as being obvious over Karassev et al. in view of Rolic AG (Schadt et al.), WO 98/52077. Karassev et al. is distinguished above. It is noted that Schadt et al. also do not teach a physical transfer of material in the manner claimed.

It is therefore respectfully submitted that the claims, as amended, distinguish the cited references, and are therefore allowable.

The Examiner is invited to contact the undersigned prior to issuing a further office action to discuss and hopefully resolve any outstanding issues.

Respectfully submitted,
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By  _____

Date 10/6/04 _____